

**SECOND DIVISION
DOYLE, P. J.,
DAVIS and WHITAKER, JJ.**

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October 16, 2026

In the Court of Appeals of Georgia

A26A0861. THE STATE v. TAYLOR.

DOYLE, Presiding Judge.

Following the grant of Floyd Taylor’s plea in bar based on constitutional speedy trial grounds, the State appealed, arguing that the trial court erred by granting the plea in bar because it failed to make the requisite findings of fact and conclusions of law in support of its ruling. For the reasons that follow, we vacate the trial court’s order and remand the case for further proceedings consistent with this opinion.

The record reflects that on June 17, 2023, Taylor was arrested and cited for driving under the influence of alcohol (“DUI”), OCGA § 40-6-391(a)(1), and failure to obey a traffic control device, OCGA § 40-6-20(a). Taylor was released from the scene on a copy of the citations. Taylor’s initial court date was on July 20, 2023, in

recorder's court, but he successfully moved for a continuance to August 17, 2023. Thereafter, Taylor requested and received another continuance to October 5, 2023, on which date the case was bound over to state court.

On June 16, 2025, the State filed an accusation charging Taylor with DUI (per se), OCGA § 40-6-391(a)(5); DUI (less safe), OCGA § 40-6-391(a)(1); and failure to obey a traffic control device, OCGA § 40-6-20(a). On June 23, 2025, Taylor filed a plea in bar based on an alleged violation of his constitutional right to a speedy trial. At a hearing on October 15, 2025, the trial court orally granted the plea in bar, which ruling was subsequently memorialized by written order. In its order, the trial court found that “the nearly two-year delay between the incident and the accusation” was presumptively prejudicial. Nevertheless, the order contained no findings of fact or conclusions of law as to (1) whether the delay was uncommonly long; (2) which party was more responsible for the delay; (3) whether Taylor asserted his right to a speedy trial; or (4) whether Taylor suffered prejudice as a result of the delay. Instead, the trial court concluded that the State's failure to address these factors at the hearing and the State's delay in filing its accusation deprived Taylor of his constitutional right to a speedy trial. The State now appeals.

1. The State contends that the trial court abused its discretion by granting

Taylor's constitutional speedy trial plea in bar without making the findings of fact and conclusions of law necessary for that ruling. Taylor concedes that the trial court erred in this respect but maintains that his constitutional speedy trial rights were violated. We agree that the trial court erred by granting the plea in bar without performing the proper analysis.

Both the Sixth Amendment of the United States Constitution and the Georgia Constitution provide that a criminal defendant shall have the right to a speedy trial. When considering constitutional speedy trial claims, courts must conduct the two-part test as delineated in the United States Supreme Court's decisions in *Barker v. Wingo*, 407 US 514 (1972), and *Doggett v. United States*, 505 US 647 (1992). Under the *Barker-Doggett* test, [c]ourts first must consider whether the interval between the defendant's arrest, indictment, or other formal accusation and the trial is sufficiently long so as to be characterized as presumptively prejudicial. If the delay is long enough to invoke the presumption of prejudice, the trial court must balance four factors: (1) whether the delay before trial was uncommonly long, (2) whether the government or the criminal defendant is more to blame for the delay, (3) whether, in due course, the defendant asserted his right to a speedy trial, and (4) whether he suffered prejudice as the delay's result. Application of this test is committed principally to the discretion of the trial court, and this Court has a limited role in reviewing the trial court's decision. We must accept the factual findings of the trial court unless they are clearly erroneous, and we must accept the ultimate conclusion of the trial court unless it amounts to an abuse of discretion.

Labbee v. State, 362 Ga. App. 558, 561 (869 SE2d 520) (2022) (cleaned up).

(a) *Presumptive prejudice*.

The right to a speedy trial attaches at the time of arrest or formal accusation or indictment, whichever occurs first, and the courts measure the delay from the time the right attaches. ... Where no trial has occurred, ... the length of delay should be calculated from the date of arrest or formal accusation to the date on which the motion to dismiss on speedy trial grounds was decided.

Foreman v. State, 371 Ga. App. 838, 842(1)(a) (903 SE2d 303) (2024) (cleaned up). “A one-year delay is typically presumed to be prejudicial.” *Goins v. State*, 306 Ga. 55, 57(2)(b) (829 SE2d 89) (2019).

Taylor was arrested on June 17, 2023, and his speedy trial motion was decided on October 15, 2025. The trial court incorrectly measured the length of time between Taylor’s arrest and the filing of the accusation, but given that more than two years elapsed between Taylor’s arrest and the trial court’s ruling on his plea in bar, the trial court’s conclusion that the delay was presumptively prejudicial was nevertheless correct.

(b) *The Barker-Doggett factors*. “Because of the fact-intensive nature of speedy trial analysis, and because the trial court’s resulting ruling is reviewed on appeal for abuse of discretion, ... it is imperative that the trial court enter findings of fact and

conclusions of law consistent with *Barker*.” *Goins*, 306 Ga. at 57–58(2)(b) (citation and quotation marks omitted). “‘Absent such findings, there is no exercise of discretion for this Court to review, and the trial court’s order must be vacated and the case remanded for the entry of a proper order pursuant to *Barker*.’” *State v. Adams*, 364 Ga. App. 864, 865–66 (876 SE2d 719) (2022) (citation omitted).

The trial court’s order in this case recited the four *Barker-Doggett* factors, but it failed to apply any of them to the circumstances of Taylor’s case. “[T]he second step of the *Barker-Doggett* analysis ... requires the application of a delicate, context-sensitive, four-factor balancing test to determine whether the accused has been deprived of the right to a speedy trial.” *Ruffin v. State*, 284 Ga. 52, 55(2) (663 SE2d 189) (2008). That the State may have failed to address these factors at the plea-in-bar hearing does not absolve the trial court of its own responsibility to do so. See *Johnson v. State*, 300 Ga. 252, 258(3) (794 SE2d 60) (2016) (vacating and remanding a trial court’s order that “made no findings of fact or conclusions of law regarding the *Barker-Doggett* analysis” and holding that, “[a]s a result, there [was] an insufficient basis for appellate review of th[e] issue”); *Higgenbottom v. State*, 288 Ga. 429, 431 (704 SE2d 786) (2011) (holding that a trial court’s order must contain findings of fact and conclusions of law as to each of the four *Barker-Doggett* factors and vacating a trial

court's order denying a constitutional speedy trial claim because "the limited findings made by the trial court [were] insufficient to provide for proper appellate review").

On remand, the trial court is directed to enter an order containing explicit findings of fact and conclusions of law as to each of the four *Barker-Doggett* factors, including whether each factor weighs against the State or Taylor, see *Redding v. State*, 313 Ga. 730, 733-35(2) (873 SE2d 158) (2022) (vacating and remanding a trial court's order that failed to explicitly weigh three of the four *Barker-Doggett* factors either against the State or the defendant), how much weight is assigned to each factor, and the reasons underlying the assigned weights. See *Foreman*, 371 Ga. App. at 844(1)(b)(i) (holding that remand was proper because the trial court failed to specify the weight that it assigned a single *Barker-Doggett* factor as well as the reasons underlying the assigned weight).

2. The State also contends that the trial court abused its discretion by granting Taylor's plea in bar to the extent that it determined that any of the four *Barker-Doggett* factors weighed against the State. Addressing this contention would require us to perform the entirety of the four-factor *Barker-Doggett* analysis in advance of the trial court doing so, which would constitute error in its own right. See *Johnson*, 300 Ga. at 258(3) ("It is not the job of an appellate court to apply the *Barket-Doggett* framework

in the first instance.”); *State v. Pickett*, 288 Ga. 674, 678–80(2)(d) (706 SE2d 561) (2011) (holding that this Court erred by failing to remand the case for the trial court to make appropriate factual findings and legal conclusions under the *Barker-Doggett* framework). Accordingly, this argument is not properly before this Court at this time.

Judgment vacated and case remanded with direction. Davis and Whitaker, JJ., concur.